

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1110 – SB 1109

March 12, 2018

SUMMARY OF ORIGINAL BILL: Requires the Department of Safety (DOS) to issue, upon request, a special designation on driver and photo identification licenses for persons with developmental disabilities.

Requires a law enforcement officer who interacts with a person who is a victim, witness, or suspect, or a person otherwise stopped by a law enforcement officer in relation to an offense or violation, and who exhibits characteristics of a developmental disability to make a good faith effort to immediately contact the person's parent, guardian, or conservator regarding the interaction. Requires, upon the request of a person diagnosed with a developmental disability or the person's conservator, that law enforcement make a good faith effort to ensure that a mental health worker, or related professional is present at all interviews with the person. Specifies that all expenses related to the attendance of the professional at interviews shall be borne by the requesting person. Specifies that failure to have a professional present at the time of the interview is not a basis for suppression of the interview or for a cause of action against the law enforcement officer or agency.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – Exceeds \$60,000/One-Time

Other Fiscal Impact – To the extent redesign of the driver license card can be accomplished with one of two available allowances permitted by the current third party vendor contract, any impact would be not significant. Otherwise, redesign of the card will result in an additional one-time state expenditure estimated to be \$100,000.

SUMMARY OF AMENDMENT (014942): Deletes all language after the enacting clause such that the only substantive changes are as follows: 1. Specifies that a person shall bear the associated costs, consistent with established fees applicable to reissuance of licenses if a person chooses to change their license outside the normal renewal schedule. 2. Changes the effective date from July 1, 2017 to January 1, 2019.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Based on information provided by DOS, and confirmed by the third party contract vendor responsible for the driver license card system, it is estimated the cost would be one-time state expenditures of \$100,000 to redesign the driver license card to effectuate the provisions of this bill as amended.
- The contract with the third party vendor contains a provision that allows up to two card changes per year at no additional charge.
- The provisions of the bill state that DOS applications are required to have an option which an applicant “can check a box” stating that they have a developmental disability and that the applicant wishes to have the disability indicated on their card; such option does not appear on current applications.
- Based on information provided by DOS, changes to both the electronic and paper applications and changes to driver license programs used by DOS to process such applications will be required to accommodate the provisions of this bill.
- The changes related to the electronic application and the driver license program will require a one-time increase in state expenditures estimated to be the lesser of \$100,000 or the cost for standard rate and materials. These one-time state expenditures plus one-time state expenditures for printing a new batch of paper applications are reasonably estimated to exceed \$60,000.
- The provisions of the bill as amended make no changes to current fees or fee requirements for conditional licenses.
- DOS indicates no additional expenditures are required to update departmental policies relative to the provisions of the bill.
- Based on information on the DOS website, certain intellectually or physically disabled persons may obtain a photo identification free of charge.
- Those not eligible for a free photo identification will pay a duplicate license fee of \$8.00. Any additional state revenue to DOS for duplicate licenses will be offset by an equal increase in state expenditures for DOS.
- The net fiscal impact as a result of requiring a person to bear the associated costs, consistent with established fees applicable to reissuance of licenses if a person chooses to change their license outside the normal renewal schedule is estimated to be not significant.
- Any fiscal impact as a result of the effective date change is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/rbp